



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,821	04/27/2001	Doo Sang Park	2080-3-18	3336
35984 7590 12/24/2008 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
AILES, BENJAMIN A				
ART UNIT		PAPER NUMBER		
2442				
NOTIFICATION DATE		DELIVERY MODE		
12/24/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@LHLAW.COM
ip.lhlaw@gmail.com
ip.lhlaw@live.com

Office Action Summary

Application No.

09/844,821

Applicant(s)

PARK, DOO SANG

Examiner

BENJAMIN AILES

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-13 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-13, 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to correspondence filed 03 October 2008.
2. Claims 1-4, 7-13 and 16-23 remain pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 7-13 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. (US 6,359,881 B1), hereinafter referred to as Gerszberg '881, in view of Kondo et al. (US 5,936,941), hereinafter referred to as Kondo, in view of Gerszberg et al. (US 2001/0040621), hereinafter referred to as Gerszberg '621.

5. Regarding claim 1, Gerszberg '881 teaches an information display system, comprising:

a gateway system for converting protocols of an external network and a local network for information exchange between the external network and local network (Fig. 5, item 210, gateway, and col. 13, ll. 41-43);

a plurality of terminals having a display unit and connected to the local network wherein each of the plurality of terminals exchanges call setup information with the gateway system (Fig. 5, item 210 gateway and item 214 connection manager, and col. 13, ll. 41-50).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit (Gerszberg '881, col. 11, ll. 65-66) and the displayed information is at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62) and further the terminal has one of an on-hook status and an off-hook status (Gerszberg '881, col. 11, ll. 58-65, passive vs. active status). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" and (b) "transmitting the stored information to each of the plurality of terminals during an on-hook status after determining the on-hook status of each of the plurality of terminals."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to transmit call status information, including call status information taught by Gerszberg

'881, and determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone setup wherein information or advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

6. Regarding claim 2, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals is one of a PC phone and an Internet phone using Internet protocols for data communication (Gerszberg '881, col. 6, ll. 47-50).

7. Regarding claim 3, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a memory means for temporarily storing the information transmitted from the information server (Gerszberg '881, col. 8, ll. 44-52) during the on-hook status (Gerszberg '621, p. 5, para. 0042) and a control means for controlling the storing of the transmitted information in the memory means such that the information stored in the memory means is displayed on the display unit when the on-hook status is detected (Gerszberg '881, col. 11, ll. 65-66) and voice communication-related information is displayed on the display unit when the off-hook status is detected (Gerszberg '881, col. 9, ll. 17-27).
8. Regarding claim 4, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means in each of the plurality of terminals determines the call status of the terminal (Gerszberg '881, col. 11, ll. 65-66).
9. Regarding claim 7, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the information server comprises a memory means for storing information transmitted from the external network (Gerszberg '881, col. 10, ll. 28-37) and a control means for determining the respective call status of each of the plurality of terminals (Gerszberg '621, pg. 5, paragraph 0042).
10. Regarding claim 8, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information server transmits the information stored in the memory means of the information server to each of the plurality of terminals during the on-hook status of each of the plurality of terminals (Gerszberg '621, pg. 5, para. 0042).

11. Regarding claim 9, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information server updates contents of the memory means of the information server when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

12. Regarding claim 10, Gerszberg '881 teaches an information display system, comprising:

a plurality of terminals having a display unit and connected to the local network (Fig. 5, item 210 gateway and item 214 connection manager, and col. 13, ll. 41-50).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit (Gerszberg '881, col. 11, ll. 65-66) and the displayed information is at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" and (b) "transmitting the stored information to each of the plurality of terminals during an on-hook status after determining the on-hook status of each of the plurality of terminals."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone wherein information, advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have

been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

13. Regarding claim 11, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals is one of a PC phone and an Internet phone using Internet protocols (Gerszberg '881, col. 6, ll. 47-50).

14. Regarding claim 12, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a memory means for storing information transmitted from the information system (Gerszberg '881, Fig. 3B, item 173) and a control means for controlling storing of the transmitted information in the memory means (Gerszberg '881, Fig. 3B, item 170) such that the information stored in the memory means is displayed on the display unit when the on-hook status is detected (Gerszberg '881, col. 11, ll. 58-62) and voice communication-related information is displayed on the display unit when an off-hook status is detected (col. 9, ll. 17-21).

15. Regarding claim 13, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of each of the plurality of terminals determines the call status of the terminal (Gerszberg '881, col. 11, ll. 65-66).

16. Regarding claim 16, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the information system comprises a memory means for storing the information transmitted from the external network (Gerszberg '881, col. 10, ll. 28-37) and a control means for determining the call status of each of the plurality of terminals (Gerszberg '621, pg. 5, paragraph 0042).

17. Regarding claim 17, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information system transmits the information stored in the memory means of the information system to each of the plurality of terminals during the on-hook status of each of the plurality of terminals (Gerszberg '621, pg. 5, para. 0042).

18. Regarding claim 18, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information system updates contents of the memory means of the information system when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

19. Regarding claim 19, Gerszberg '881 teaches an information display system, comprising:

storing information transmitted from an external network or a local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit (Gerszberg '881, col. 11, ll. 65-66) and the displayed information is at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status

information included in call setup information transmitted from each of the plurality of terminals" and (b) "transmitting the stored information to a plurality of terminals connected to the local network during an on-hook status of each of the plurality of terminals."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone wherein

information, advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

20. Regarding claim 20, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein the stored information is transmitted to each of the plurality of terminals based on the call status of a pre-selected one of the plurality of terminals (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts and news bulletins to certain users.).

21. Regarding claim 21, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein displaying the transmitted information comprises:

storing the received information at each of the plurality of terminals (Gerszberg '881, col. 8, ll. 44-52);

determining the call status of each of the plurality of terminals (Gerszberg '621, p. 5, para. 0042);

displaying the stored information on each of the plurality of terminals during the on-hook status (Gerszberg '881, col. 11, ll. 65-66).

22. Regarding claim 22, Gerszberg '881, Kondo and Gerszberg '621 teach the method further comprising:

ceasing displaying the stored information and displaying voice communication-related information on at least one of the plurality of terminals that assumes an off-hook status (Gerszberg '881, col. 9, ll. 17-27); and

re-displaying the stored information when the at least one of the plurality of terminals resumes the on-hook status (Gerszberg '881, col. 11, ll. 65-66).

23. Regarding claim 23, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein the stored information is updated when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

Response to Arguments

24. Applicant's arguments filed 11 April 2008 have been fully considered but they are not persuasive.

Claims 1-22 rejected under 35 USC 103(a)

25. With respect to the rejection of claims 1-5, 7-14 and 16-22 under 35 USC 103(a) as being unpatentable over Gerszberg et al. ("Gerszberg '881" US 6,359,881) in view of Gerszberg et al. ("Gerszberg '621" US 2001/0040621), applicant argues that (a) the cited prior art, specifically Gerszberg '881 and Kondo, do not teach "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" as recited in claim 1.

26. In response to argument (a), the examiner respectfully disagrees. As set forth in the rejection, Gerszberg '881 teaches in col. 11, lines 55-68 the identification of a videotelephone being in an on-hook condition versus an off-hook condition wherein it is

taught that a customer's device can be determined to be in either a passive state or an active state. Therefore, Gerszberg '881 teaches on the aspect claimed of having a call status being either in an 'on-hook' or 'off-hook' condition. Kondo is relied upon for teaching the transmission of call status information and not directly the narrow aspect of "on-hook versus off-hook" condition. The Gerszberg '881 reference is relied upon for this aspect as set forth above. In combination of Kondo and Gerszberg '881, the Kondo reference teaches the transmission of call status information including specifically "on-hook or off-hook" by incorporation of Gerszberg '881. Kondo teaches in column 8, lines 8-34 the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal. The status information is retrieved from call setup information that is originally transmitted from a device. Therefore, by way of combination, the cited prior art is found to teach "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" as recited in claim 1. The remaining independent claims are not found patentable for the same reasons as set forth with respect to claim 1.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin Ailes whose telephone number is (571)272-3899. The examiner can normally be reached Monday-Friday, 5:30-8:30AM, 1:00-6:00PM, IFP Hoteling schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. A. A./
Examiner, Art Unit 2442

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442